

Union County State's Attorney

Jerry A. Miller
State's Attorney
UCSA@iw.net

209 East Main Street ~ Suite 140
Elk Point, South Dakota 57025
Telephone (605) 356-2666 / Facsimile (605) 761-0199

Alexis A. Tracy
Deputy State's Attorney
UCDSA@iw.net

June 11, 2014

Press Release - For Immediate Release

Defendant's Name: Sidney Thorsby
Age: 18
City and State of residence: Canton, SD
Criminal File Number: 14-016
Convicted of: Ingestion (M1) 22-42-15, and Possession of Drug Paraphernalia (M2)
22-42A-3
Date of Sentence: May 5, 2014
Arresting Officer: Matthew Niles, SDHP

Case Synopsis:

On the night of November 26, 2013 Trooper Matthew Niles of the South Dakota Highway Patrol observed a gray Volkswagen, and he noticed the noise coming from the vehicle's exhaust was much louder than that of normal vehicles in traffic. Officer Niles pulled the car over, and observed three men in the car one of whom was Sidney Thorsby. While Officer Niles was waiting for the driver to produce his driver's license and proof of insurance he noticed a strong odor of cologne and air freshener coming from the vehicle. Officer Niles asked the driver of the car to accompany him in the patrol car. While Officer Niles was talking to the driver he noticed the driver's eyes were red, his pupils were dilated, and his actions and speech were somewhat slow as well. Furthermore, Trooper Niles could also smell the odor of marijuana coming from the driver's person. Officer Niles asked the driver if there was anything in the car on two occasions. The driver answered no both times, but he did admit that he had smoked marijuana twenty minutes earlier. Trooper Niles then spoke to Thorsby and the other occupants in the car. Trooper Niles asked Thorsby and the other occupants if there was any marijuana in the car. All three answered no, but they also admitted to smoking marijuana earlier that night. When Trooper Niles asked them if they had anything in the car the second time the back seat occupant said he had some marijuana in the back seat; the occupant then handed Officer Niles a pipe, lighter, vaporizer, and a small amount of marijuana. Trooper Niles then placed all three men under arrest, completed an inventory check of the car, and found another pipe along with a small amount of marijuana in a Tupperware container under the driver's seat.

Sentencing Synopsis:

On the charge of Ingestion Sidney Thorsby received a fourteen (14) day suspended sentence and the Court required him to pay all monetary obligations as ordered within ninety (90) days. He received, among other costs, a \$300 fine.

On the charge of Possession of Drug Paraphernalia Brett Gard was sentenced to pay a fine as well as court costs.

Criminal History:

This is Sidney Thorsby's first misdemeanor.